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CRIMINAL SOCIOLOGY. By Enrico Ferri. Boston: Little, Brown and Company.

To review this book fairly it is necessary to remember the background against which it was written. The author, the friend, and son-in-law, as well as the intellectual disciple of Lombroso, is above all conscious of the fierce storm of controversy which has gathered about his master's work. It is a controversy in which quarter has been neither given nor taken. Lombroso's opponents, indeed, as Aschaffenberg has well said,¹ judge him rather by his faults than by his virtues; and in their eagerness to remember what he did not do, there is a real tendency to forget his solid achievement.

All of this has left its clear trace not only on Signor Ferri's mind, but also on his heart. When he sits down to write, he sees before him the men whose intellectual inability to appreciate Lombroso's doctrines inspires him with contempt, and whose discourteous treatment of this school has moved him to violent rage with the inevitable result that what he has written is less a scientific discussion than what Burnetière has felicitously termed a "*discours de combat*." Such effort has, indeed, its own value in the present stage of criminological discussion. Criminology is itself so new a science that any vigorous and clear defense of a particular doctrine has its special use. This, at least, Signor Ferri has done. He clearly grasps the tenets of his school. He has a saving commonsense which prevents him from defending the more extreme views into which an over-imaginative enthusiasm sometimes led Lombroso himself. He has a keen, if unsympathetic, eye for the weakness of an opponent's position. But it is not possible at once to attack a special thesis and to give an adequate general exposition of the whole subject. The treatment as a consequence loses proportion and perspective, simply because the spirit of the two inquiries are incompatible.

Still, the book is a useful one. Particularly good are the classification of criminals (in which Signor Ferri clearly restates his former argument), and the statement of the relation between environment and crime, where recent research has led the author very sensibly to modify earlier and more extreme views. The old over-emphasis on such supposed criminal tendencies as tattooing has largely disappeared. The whole atmosphere of the book shows a marked tendency to admit the tentative character of the earlier evidence upon which the Lombrosian theories were based. This is a great step forward. And the measures suggested for the improvement of criminal law and its administration will everywhere command general acceptance. It is a great pity that in this new edition Signor Ferri should not have been led to revise his inadequate treatment of the jury system and his advocacy of free trade as a causal factor in the diminution of crime. Nevertheless, one is glad to have in English dress a book that well represents the attitude of the most enlightened section of the Italian school.

ARTHUR D. HILL.

LA DÉFINITION DU DROIT. By H. Lévy-Ullman. Paris: Larose.

This book is interesting evidence of the renaissance of legal philosophy in France. When, nearly twenty years ago, M. Geny emphasized in a famous book the need for a critical methodology, all that existed in the way of philosophic interpretation were the few scant paragraphs on the notion of law which every commentator on the Civil Code threw in as a half-reluctant sacrifice to that unrecognized science called jurisprudence. Today the efforts of Geny and Demogue in one field, and Duguít and Hauriou in another, are

¹ CRIME AND REPRESSION, 169.